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HSUAN BIN CHEN

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
HSUAN BIN CHEN, et al.,  
  
Defendant.

**Case No. CR-09-00110-SI**

**DEFENDANT HSUAN BIN CHEN'S  
CORRECTED UNOPPOSED APPLICATION  
AND [PROPOSED] ORDER FOR  
TEMPORARY DOMESTIC TRAVEL  
OUTSIDE THE NORTHERN DISTRICT OF  
CALIFORNIA**

Defendant Hsuan Bin Chen hereby requests that this Court permit him to travel briefly within the United States and outside of the Northern District of California. This request is based on the following:

1. Mr. Chen seeks to travel to Rochester, Minnesota to visit his daughter, Dr. Ju-Hsien "Jodi" Chen Nienaber, and her husband from February 11, 2011 to February 14, 2011.

2. Mr. Chen will travel by air to Minneapolis, Minnesota on Friday, February 11, 2011, and will return to San Francisco on Monday, February 14, 2011. He will stay at the Nienaber home, located at 207 5th Avenue SW, Unit 208, Rochester, Minnesota 55902 and can be reached locally by telephone at (507) 269-8512.

1           3.       Through counsel, Mr. Chen will provide his detailed itinerary and the address and  
2 telephone number of his daughter's residence to his Pretrial Services Officer and the government.  
3 He will continue to observe all other terms of his release while traveling.

4           4.       In order to facilitate his travel by air consistent with TSA regulations, Mr. Chen  
5 requests that this Court direct the Clerk of Court to temporarily return his Taiwanese passport so  
6 that he may use it to travel to Minnesota and to return to San Francisco only. Mr. Chen will  
7 return his passport to the custody of the Clerk immediately upon his return to San Francisco on  
8 February 14, 2011 (subject only to the Clerk's business hours).

9           5.       The undersigned has communicated with Pretrial Services Officer Allen Lew by  
10 email concerning this request and Mr. Chen's itinerary. Mr. Lew informed the undersigned that  
11 Pretrial Services does not oppose this request.

12           6.       The undersigned also communicated with Department of Justice attorney Heather  
13 Tewksbury by email concerning this request. Ms. Tewksbury stated that the government will  
14 defer to Pretrial Services concerning this specific request and will not oppose the request if  
15 Pretrial Services approves Mr. Chen's proposed domestic travel.

16           Accordingly, Mr. Chen respectfully requests that the terms of his bond pending trial be  
17 modified temporarily to permit the requested brief travel outlined above on the dates specified in  
18 this application.

19  
20 Dated: February 7, 2011

COOLEY LLP

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23 s/Michael A. Attanasio

24 MICHAEL A. ATTANASIO

25 Attorneys for Defendant HSUAN BIN CHEN  
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**ORDER**

Based on the foregoing, and good cause appearing, IT IS HEREBY ORDERED:

1. Defendant Hsuan Bin Chen's conditions of release are hereby modified temporarily to permit him to travel outside of the Northern District of California consistent with the terms and conditions set forth above.

2. The Clerk of Court is directed to return Mr. Chen's passport to him temporarily to permit him to travel as set forth above in Mr. Chen's application. Mr. Chen shall immediately return his passport to the Clerk of Court when the subject trip is completed.

**IT IS SO ORDERED:**

Dated: 2/7/11



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THE HONORABLE SUSAN ILLSTON  
United States District Judge